

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4289 of 2019**

Bharti Sharma D/o Shankar Prasad Sharma Aged About 36 Years Posted
As Secretary Gram Panchyat Limtara, Block Dhamdha, District Panchyat
Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh The Secretary, Panchayat And Rural Development
Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District-
Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
3. Chief Executive Officer District Panchayat, Durg, District- Durg,
Chhattisgarh., District : Durg, Chhattisgarh
4. Chief Executive Officer Janpad Panchayat Dhamdha, District- Durg,
Chhattisgarh., District : Durg, Chhattisgarh
5. Sidaram Sahu Secretary Gram Panchayat Achoti, Block Dhamdha, District
Panchayat- Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Praveen Dhurandhar, Advocate
For State	:	Ms. Shriya Mishra, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19/06/2019**

1. The challenge in the present writ petition is to the order Annexure (P-1) dated 08.03.2019. Vide the said order the petitioner has been ordered to be transferred from Limtara to Janpad Panchayat, Dhamdha.
2. The sole ground of challenge that the petitioner has raised in the present writ petition is to the action or the order which has been passed with malafide intention. The contention of the petitioner is that

the petitioner was earlier issued with an order of transfer on 02.03.2019 whereby the petitioner was transferred from Limtara to Dhamdha. The said order was subsequently cancelled by the Chief Executive Officer on 07.03.2019. However, on the very next day i.e. on 08.03.2019, respondents have passed an order again transferring the petitioner from Limtara to Dhamdha. According to the petitioner this action has been taken only on political reasons in as much as there is a frivolous complaint lodged against the petitioner of celebrating the cancellation of the previous transfer order dated 02.03.2019 which led to the annoyance of the authorities and on which the transfer order has been again issued.

3. On a query being put to the counsel for the petitioner, he fairly accepts that the petitioner right from the time of appointment is posted at Limtara from 2010 onwards. As such the petitioner has already put in about 8-9 years at the present place of posting. Moreover, the place where petitioner has been transferred is just about 30 Km from the present place of posting which again is not a far off distance which can create any inconvenience to the petitioner in any great manner. There is no dispute to the fact that services of the petitioner is transferable. Hence, this Court does not find any strong case made out by the petitioner calling for an interference with the impugned order. Thus, the writ petition being devoid of merits deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge